

## SYKES LAW FIRM, P.C.

VINCE F. SYKES, ESQ.  
ADMITTED TO NEW YORK STATE BAR

May 24, 2023

### **VIA ECF**

Hon. Andrew E. Krause  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

The parties' proposed deposition schedule is hereby ADOPTED as an order of the Court. If the parties seek to make any changes to this schedule, they must submit an application to the Court to modify the order. If the application is submitted on consent and does not require the adjustment of any discovery deadlines, the application is likely to be granted. If the application is not submitted on consent, or if it would require the adjustment of any discovery deadlines, the application is likely to be denied.

Dated: May 26, 2023

Re: Kliot v. Marchionno et al.  
Case #: 7:22-cv-00597-KMK  
Joint Status Update — Deposition Schedule

SO ORDERED.



ANDREW E. KRAUSE  
United States Magistrate Judge

Dear Judge Krause:

As requested by the Court during today's Status Conference, please find below a proposed deposition schedule for the remaining depositions:

June 14:	Officer Marchionno (defendant)
June 23:	Officer Milanese (11am), Officer Lowing (1pm) (defendants)
June 28:	Officer Smalls (defendant)
July 14:	OMH Representative, State Trooper Santiago
July 17:	Dr. Stephen M. Koretsky- Plaintiff's Psychologist
July 20:	Dr. Yegues Schettini- Plaintiff's Chiropractor

### **Request For Extension of Interim Discovery Deadline.**

The parties agree there is no need to extend discovery beyond the original case management order deadline of August 1, 2023 set by Judge Karas. The parties respectfully request that Your Honor extend the interim fact discovery deadline to July 28, 2023, in order to permit the parties to complete fact depositions as set forth above.

### **Defendants' Position**

Defense counsel have confirmed the proposed dates for Defendants' depositions. Defense counsel is available to attend third party depositions on July 14, but are not in a position to make any representations about the availability of those witnesses, which are not in Defendants' control.

Following the Status Conference, Defendants have considered their position on expert witnesses. Given Plaintiffs' representation that he does not intend to rely on expert witnesses, Defendants do not plan to retain any experts. For that reason, Defendants do not expect that

discovery will need to continue beyond August 1, 2023, and there is currently no need for the parties to request an adjournment of the case management plan ordered by Judge Karas.

Additionally, because Plaintiff indicated that he may call Plaintiff's treating doctors as fact witnesses at trial, Defendants intend to depose Plaintiff's psychologist Dr. Koretsky and his chiropractor Dr. Schettini. Defendants are in the process of serving deposition subpoenas on those doctors for the dates indicated above.

Respectfully submitted,

*/s Vince F Sykes*

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Cc: **VIA ECF**

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